

TEMPORARY

100191170  
57667 T  
Serial No.

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER  
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE  
STATE OF NEVADA HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office. MAY 18 1992

Returned to applicant for correction.

Corrected application filed. Map filed.

The applicant. The Nature Conservancy  
2060 Broadway, Suite 230 of Boulder  
Street and No. or P.O. Box No. City or Town  
Colorado, 80302 hereby make<sup>s</sup> application for permission to change the  
State and Zip Code No. Place of use of a portion and the manner of use  
Point of diversion, manner of use, and/or place of use  
of water heretofore appropriated under. Truckee Carson Irrigation District Serial No. 317  
Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and  
United States of America v. Orr Ditch Co. in Equity No. A-3, Claim No. 3;  
identify right in Decree.  
United States of America v. Alpine Land and Reservoir Co., No. D-183 BRT; both  
in the Federal District Court of Nevada.

1. The source of water is. Truckee and Carson rivers  
Name of stream, lake, underground spring or other source.
2. The amount of water to be changed. 293.32 acre-feet (98.10 acres x 2.99 acre-feet per  
Second feet, acre feet. One second foot equals 448.83 gallons per minute. acre)
3. The water to be used for. Maintenance of Wetlands for Recreation and Wildlife/Storage  
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
4. The water heretofore permitted for. as decreed  
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
5. The water is to be diverted at the following point. Derby Dam being within N $\frac{1}{4}$  SW $\frac{1}{4}$ , Section 19  
Describe as being within a 40-acre subdivision of public survey and by course and  
T20N R23E, M.D.B.&M., and Lahontan Dam being within SW $\frac{1}{4}$  SE $\frac{1}{4}$ , Section 33, T19N,  
distance to a section corner. If on unsurveyed land, it should be stated.  
R26E, M.D.B.&M.
6. The existing permitted point of diversion is located within. No change.  
If point of diversion is not changed, do not answer.
7. Proposed place of use. 5,427 acres - plus or minus - within Sections 10, 11, 12, 13,  
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.  
14, 15, 16, 20, 21, 22, 23, 24, 27, 28, 29, 32, 33, 34, T17N, R29E, M.D.B.&M.
8. Existing place of use. 28.7 acres in the SE $\frac{1}{4}$  NW $\frac{1}{4}$ , 34.8 acres in the SW $\frac{1}{4}$  NE $\frac{1}{4}$ , 34.6  
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or  
acres in the SE $\frac{1}{4}$  NE $\frac{1}{4}$ , Section 35, T18N R29E, M.D.B.&M.  
manner of use of irrigation permit, describe acreage to be removed from irrigation.
9. Use will be from. as decreed to. of each year.  
Month and Day Month and Day
10. Use was permitted from. as decreed to. of each year.  
Month and Day Month and Day
11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and  
specifications of your diversion or storage works.) No new diversion or storage works on the  
State manner in which water is to be diverted, i.e. diversion structure,  
Truckee River and the Carson River will be constructed.  
ditches, pipes and flumes, or drilled well, etc.
12. Estimated cost of works. N/A
13. Estimated time required to construct works. N/A

14. Estimated time required to complete the application of water to beneficial use..... 1 year

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use:

Applicant expressly reserves the right to transfer in a later proceeding:

1) .51 acre-feet for each of the 98.10 acres from which 2.99 acre-feet per acre is to be transferred by this application, and 2) 3.5 acre-feet for each of the 6.90 water-righted acres remaining at existing place of use.

By..... s/ Robert Wigington  
Robert Wigington, Applicant's Attorney  
2060 Broadway, Suite 230  
Boulder, Colorado 80302

Compared..... ap/se..... ap/se.....

Protested.....

# APPROVAL.....OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This temporary permit to change the place of use of the waters of the Truckee and Carson Rivers as set forth under the Newlands Reclamation Project rights in the Truckee and Carson River final decrees is issued subject to the terms and conditions imposed in said decrees and with the understanding that no other rights on the source will be affected by the change proposed herein.

This temporary permit is issued subject to the agreement executed by the Truckee Carson Irrigation District, U.S. Fish and Wildlife Service, and the Nature Conservancy, dated June 28, 1990.

This temporary permit is further issued pursuant to NRS 533.370, Section 1(b).

This temporary permit is also issued for the consumptive use pursuant to Article VII in the United States of America vs. Alpine Land and Reservoir Company, et al., D.C. No. D-183 BRT. The net consumptive use is determined to be 2.99 acre feet per acre of land removed from irrigation.

This temporary permit is issued pursuant to the provisions of NRS 533.345 Section 2 and will expire on November 15, 1992 at which time all rights herein granted shall revert to the right being changed by this temporary permit.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed..... 293.32 cubic feet per second acre-feet per season, as decreed.

Work must be prosecuted with reasonable diligence and be completed on or before.....

Proof of completion of work shall be filed before.....

Application of water to beneficial use shall be made on or before.....

Proof of the application of water to beneficial use shall be filed on or before.....

Map in support of proof of beneficial use shall be filed on or before.....

Completion of work filed.....

Proof of beneficial use filed.....

Cultural map filed.....

Certificate No..... Issued.....

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.  
State Engineer of Nevada, have hereunto set my hand and the seal of my

office, this..... 11th..... day of..... June.....

A.D. 19..... 92.....

*[Signature]*  
State Engineer

EXPIRED

DATE